

REMARKS

Claims 1-154 were previously pending in the application. Claims 155-170 have been added. Applicant submits that these new claims are supported throughout the originally filed specification and that no new matter has been added by way of these amendments. Applicant explicitly reserves the right to add/pursue the claims as originally filed at a later date and/or in one or more continuation/divisional applications. Applicant respectfully requests reconsideration of the instant application in view of the following remarks.

The Examiner's Election Requirement

In the Restriction/Election Requirement dated March 31, 2009, the Examiner states:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-118, 119-120, 141-146, and 154 drawn to method of operating an electronic market place for the development of inventions, classified in class 705, subclass 01 or 10.

II. Claims 121, 122-133, 150-152, and 153, drawn to method of operating a marketplace for the development of inventions, classified in class 705, subclass 01.

III. Claims 134-140, drawn to method operating a collaborative support system, classified in class 705, subclass 07.

IV. Claims 147-149, drawn to method of operating an electronic idea development community, classified in class 705, subclass 08.

(March 31, 2009 Office Action, p. 2)

Applicant's Election

Applicant respectfully traverses the Examiner's Restriction Requirement and submits that there is no undue burden for the Examiner to conduct a substantive search of the claims

corresponding to Groups I-IV. The MPEP prescribes that "[i]f the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions." (MPEP § 803; emphasis added). Accordingly, Applicant respectfully requests reconsideration and withdrawal of the Examiner's Restriction Requirement.

However, should the Examiner maintain the Restriction Requirement, Applicant provisionally elects claims corresponding to Group III (claims 134-140 and newly added claims 155-170) for substantive examination. Further, Applicant reserves the right to pursue the non-elected claims or subject matter in one or more divisional applications at a later time.

In the event that a telephone conference would facilitate examination of the application in any way, the Examiner is invited to contact the undersigned at the number provided.

AUTHORIZATION

The Commissioner is hereby authorized and requested to charge any additional fees which may be required for consideration of this Response to Deposit Account No. 03-1240, Order No. 17245-009. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized and requested to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 03-1240, Order No. 17245-009.

In the event that a telephone conference would facilitate examination of the application in any way, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,
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